

## REMARKS

Claims 1-8 are pending in the application. All of the claims are written in independent form.

Please cancel Claims 1, 3 and 6 without prejudice.

The Examiner has rejected Claim 2 under 35 U.S.C. §103(a) as being unpatentable over Ishibashi (JP02000270048A) in view of Hibino. Claim 2 has been amended in order to overcome the rejection. In particular, Ishibashi is directed to minimizing ring and speaker tone volumes in order to make the ring and speaker tones hard to hear when a telephone call is not desired. In contrast, the present invention desires audibility of an alert sound, and seeks to prevent surprise or damage from the alert sound. Hibino, either alone or in combination with Ishibashi, does not teach the method function and steps of Claim 2. Claim 2 has been further amended to replace “normal level” with “first level”, in order to remove the relative term “normal”. Based on at least the foregoing, withdrawal of the rejection to Claim 2 under 35 U.S.C. §103(a) is respectfully requested.

The Examiner has rejected Claim 4 under 35 U.S.C. §103(a) as being unpatentable over Karaki et al. (JP403196745A) in view of Hibino. Applicants respectfully traverse. Contrary to the Examiner’s assertion, Karaki et al. does not teach the step of adjusting the level of the alert sound to the normal level after a certain time period. Hibino does not cure this deficiency of Karaki et al. Accordingly, withdrawal of the rejection to Claim 4 under 35 U.S.C. §103(a) is respectfully requested.

The Examiner has rejected Claims 5 and 8 under 35 U.S.C. §103(a) as being unpatentable over Demuro et al. in view of Karaki et al. Applicants respectfully traverse. Contrary to the Examiner’s assertion, it would not have been obvious to modify Demuro et al.’s system to adjust the level of an alert sound to the normal level after a certain time period has passed because as stated above, this step is not taught in Karaki et al. Accordingly, withdrawal of the rejection to

Claims 5 and 8 under 35 U.S.C. §103(a) is respectfully requested.

The Examiner has rejected Claim 7 under 35 U.S.C. §103(a) as being unpatentable over Karaki et al. in view of Demuro et al. We recommend maintaining the claim as originally presented, and arguing that contrary to the Examiner's assertion, Karaki et al. does not teach a controller that adjusts the level of the alert sound to the normal level after a certain time period passes. Demuro et al. does not cure this deficiency of Karaki et al. Accordingly, Applicants respectfully request withdrawal of the rejection to Claim 7 under 35 U.S.C. §103(a).

Independent Claims 2, 4, 5, 7 and 8 are believed to be in condition for allowance.

Accordingly, all of the claims pending in the Application, namely, Claims 2, 4, 5, 7 and 8, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,



Paul J. Farrell  
Reg. No. 33,494  
Attorney for Applicant

DILWORTH & BARRESE  
333 Earle Ovington Blvd.  
Uniondale, New York 11553  
Tel: (516) 228-8484  
Fax: (516) 228-8516

PJF/RCC/dr